IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 18777 of 2004**

Between:

D.Narasamma, W/o Maruthi Srinivasa Rao,
Fair Price Shop Dealer Circle-9, Chilakaluripeta,
Guntur District

..... PETITIONER

AND

1 The Joint Collector, Guntur
2 The Revenue Divisional Officer, Narsaraopet, Guntur District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction, more particularly a writ of Mandamus, declaring the inaction of the 1st respondent in not passing orders on the appeal dated 9-9-2004 filed by the petitioner against the order of 2nd respondent in Rc.No.309(3)2004-B, dated 28-08-2004, despite the fact that a similar appeal in A.C.D.Dis.No.3/2004-S7, was disposed of, as illegal and arbitrary and consequently direct the 1st respondent to pass orders on the petitioner's appeal and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

**Counsel for the Petitioner: MR.P.ROY REDDY**

**Counsel for the Respondents: GP FOR CIVIL SUPPLIES**

The Court at the admission stage made the following:

**ORDER:**

Petitioner is an authorised dealer of the Fair Price Shop of Chilakaluripeta, Guntur District. The authorisation of the petitioner has been cancelled by the Revenue Divisional Officer by order dated 20.08.2004. Aggrieved by the same, the petitioner preferred an appeal before the first respondent. Now, the grievance of the petitioner is that in spite of the fact that she preferred an appeal on 09.09.2004, no orders have been passed so far. Hence, this writ petition.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

Though the learned counsel for the petitioner raised various contentions assailing the order of cancellation, since the statutory appeal is pending, I am not inclined to express any opinion on merits. However, having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to dispose of the appeal filed by the petitioner pending on his file as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

It is made clear that till the disposal of the appeal by the first respondent, the respondents shall not make any permanent appointment in respect of the Fair Price Shop in question.

Accordingly, the writ petition is disposed of. No costs.

13.10.2004

Note: Issue CC in two days

(b/o)

VGB

To

1 The Joint Collector, Guntur
2 The Revenue Divisional Officer, Narsaraopet, Guntur District

3 2CCs to the Government Pleader for Civil Supplies, High Court

Buildings, Hyderabad (OUT)

4 2CD copies